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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------|------------------|
| 09/997,494 | 11/19/2001 | Alex P. Weaver | WEAVER.PT1 | 5181 |
| 24943 | 7590 | 11/18/2005 | | |
| INTELLECTUAL PROPERTY LAW GROUP LLP 12 SOUTH FIRST STREET SUITE 1205 SAN JOSE, CA 95113 | | | EXAMINER GARCIA, ERNESTO | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3679 | |

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

09/997,494

EXAMINER

ART UNIT

PAPER

20051101

DATE MAILED:

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Commissioner for Patents

The reply filed on 09/30/2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has incorrectly set the status of claims 21-27 incorrectly. Either the status should be --(Originally Presented)-- or --(Cancelled)--. Applicant should note that the claims cannot be identified as "(Withdrawn)" by the applicant. Only the Office can set forth any claim being withdrawn by a restriction requirement. Further, "originally presented/cancelled?" claims 21-27 are/were directed to a double locking mortise joint, a subcombination. New claims 28-33 are directed to a distinct invention than originally presented on the merits, i.e., a combination. Applicant cannot shift inventions during prosecution on the merits of the application. If claims 21-27 are to be cancelled, applicant needs to present claims to a double locking mortise joint and not the combination because claims 28-33 appear to be directed to a table as the combination of four joints, four table legs and a tabletop inherently make up a table as described and shown and not a mortise joint.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30-5:30. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.
November 8, 2005

Daniel P. Stodola
DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600